

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39582 of 2008
NAGENDRA BHUSHAN SON OF SHIV NANDAN PRASAD
RESIDENT OF MOHALLA JAI PRAKASH NAGAR GAWAL BIGHA, P.S.CIVIL LINES, DIST.GAYA
Versus
STATE OF BIHAR

Cr.Misc. No.35857 of 2008
DURGA PRASAD GUPTA SON OF LATE PHAUJDARI LAL
RESIDENT OF MOHALLA DALHATTA BAZAR, P.S.MUNGER TOWN, DISTT. MUNGER
Versus
STATE OF BIHAR

Cr.Misc. No.35803 of 2008
SYED ALI IMAM SON OF LATE S.YAHAYA IMAM
RESIDENT OF MOHALLA PASCHIM DARWAJA NAI SARAK, P.S.KHAJEKALAN, DISTT.PATNA
Versus
STATE OF BIHAR THRU.VIG.

5/ 17.12.2008 Since all the above three applications arise out of Vigilance P.S.Case No. 39 of 2008 corresponding to Special Case No. 27 of 2008 registered for offences under Sections 420, 467, 468, 471, 409, 406, 201 and 102B of the Indian Penal Code and Sections 7, 8, 13 (2) read with 13 (1)(d) of the Prevention of Corruption Act, they have been heard together and are being disposed of by this common order.

According to allegations, the officials of Bihar State Food Corporation, Gaya in connivance with different officials of Block Supply Officers of different places in furtherance of their common intention conspired with the shop keepers of Public Distribution System shops and others and were benefited by forging and manipulating the documents which were issued for more than the original and actual amount of draft. The committed loss to the Bihar State Food Corporation was Rs. 31.07,617/-.

The prayer for bail of two of the co-accused namely, Rajdeo Singh and Ashok Kumar Singh have been rejected by a Bench of this Court Vide

Cr.Misc.Nos.36706 of 2008 and 36896 of 2008 respectively on 1.10.2008. Thereafter, considering this order, the prayer for bail of other two co-accused namely, Hari Charan Mishra and Dinesh Prasdd Singh have been granted by another Bench of this Court Vide Cr.Misc.Nos.34646 of 2008 and 36243 of 2008 respectively on 20.10.2008.

The main thrust of the argument of the learned counsel for the petitioners is that the allegation against these petitioners are more or less similar to that of co-accused Hari Chand Mishra and Dinesh Prasad Singh who have been granted bail and not similar to co-accused Rajdeo Singh whose prayer for bail has been rejected.

I have perused the first information report. The first information report is an elaborate document which deals modus operandi of the accused persons and according to allegation, it was co-accused Rajdeo Singh who was instrumental in committing such offences.

Considering the facts and circumstances of the case, let the above named three petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance I, Patna in Special Case No. 27 of 2008 arising out of Vigilance P.S.Case No. 39 of 2008.

Tahir/-

(Shyam Kishore Sharma, J.)